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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/066,127      | 01/31/2002  | Pierre Legrain       | EGYPSA 3.0-006      | 3339             |

530 7590 05/05/2003

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| EXAMINER |
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MAYES, LAURIE A

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

1653

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Please find below and/or attached an Office communication concerning this application or proceeding.



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01/31/2002

Pierre Legrain et al.

EGYPSA 3.0-006

EXAMINER

Laurie Mayes

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Commissioner for Patents

The reply filed on March 18, 2003 (Paper #8) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The applicant failed to elected related sequences for examination. Applicants elected SEQ ID NOS: 1, 3, 5 and 7 which correspond to different nucleotide sequences. SEQ ID NO : 1 corresponds to the selective interactive domain of HP 1122 (SEQ ID NO: 5); HP1122 is a sigma28 factor. SEQ ID NO: 3 corresponds to the selective interactive domain of HP 1032 (SEQ ID NO: 7); HP 1032 is an anti-sigma28 factor. While these factors encoded by the polynucleotides may interact with each other, the polynucleotides are fragments with different functions. Therefore, SEQ ID NOS: 1 and 5 are distinct inventions from SEQ ID NOS: 3 and 7. Also, claim 17 contains SEQ ID NOS: 2, 4 and 6. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Mayes whose telephone number is (703) 605-1208. The examiner can normally be reached

from Monday through Friday from 7 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached at (703) 308-2923. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 305-3014 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1123

*L. Mayes*

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Art Unit 1653

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